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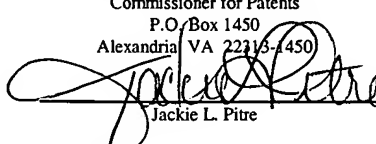
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/790,669
Confirmation No.: 7873
Filed: March 1, 2004
Inventor(s):
Suresh et al.

§ Examiner: Unknown
§ Art Unit: 3731
§ Atty. Dkt. No.: 5838-01801
§

Title: METHOD AND DEVICE
FOR PERCUTANEOUS
SURGICAL
VENTRICULAR REPAIR

<p>CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8</p> <p>DATE OF DEPOSIT: <u>7/21/04</u></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:</p> <p>Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450</p> <p> Jackie L. Pitre</p>

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION MAILED MAY 21, 2004**

MS MISSING PARTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant encloses the following in response to the Notice to File Missing Parts of Nonprovisional Application:

- (1) Copy of Notice to File Missing Parts of Nonprovisional Application (2 pages);
- (2) Originally executed Declaration (3 pages);
- (3) Originally executed Election Under 37 C.F.R. §§ 3.71 and 3.73 and Power of Attorney (2 pages);
- (4) Originally executed Verified Statement (Declaration) Claiming Small Entity Status (2 pages);
- (5) Preliminary Amendment (10 pages w/attached 14 sheets of replacement drawings);

- (6) Information Disclosure Statement (1 page);
- (7) Form PTO 1449 (4 pages w/references AA2-AA45);
- (8) Fee Authorization in the amount of \$687.00 to cover the filing fee for a small entity as follows (2 pages):
 - \$ 385.00 -- basic filing fee;
 - \$ 237.00 -- surcharge for excess claims;
 - \$ 65.00 -- surcharge for late filing of declaration and fee; and
- (9) A return postcard.

If any extension of time is required, Applicant hereby respectfully requests the appropriate extension of time. If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5838-01801/EBM.

Respectfully submitted,



Eric B. Meyertons
Reg. No. 34,876

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.
P.O. BOX 398
AUSTIN, TX 78767-0398
(512) 853-8800 (voice)
(512) 853-8801 (facsimile)

Date: 7/21/04



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
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IFW/Boxed

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/790,669	03/01/2004	Mitta Suresh	5838-01801

CONFIRMATION NO. 7873

35690

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.

P.O. BOX 398

AUSTIN, TX 78767-0398

FORMALITIES LETTER



OC000000012740046

Void date: 07/28/2004 EFLORES

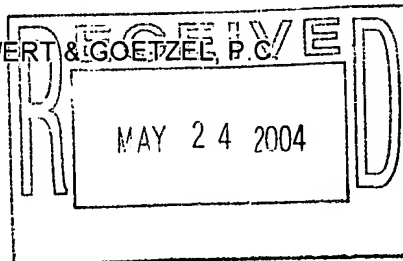
07/28/2004 EFLORES 00000021 501505 10790669

01 FC:1001 770.00 CR

02 FC:1201 258.00 CR

03 FC:1202 2142.00 CR

04 FC:1051 130.00 CR



Date Mailed: 05/21/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/28/2004 EFLORES 00000021 501505 10790669

01 FC:1001 770.00 DA

02 FC:1201 258.00 DA

03 FC:1202 2142.00 DA

04 FC:1051 130.00 DA

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

07/28/2004 EFLORES 00000022 501505 10790669

01 FC:2001 385.00 DA

02 FC:2201 129.00 DA

03 FC:2202 108.00 DA

04 FC:2051 65.00 DA

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 3a,8b,8c,8d.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$2400** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

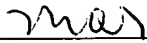
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$3300** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$2400**
 - **\$258** for **3** independent claims over 3.
 - **\$2142** for **119** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT
5838-01801

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Application No.: 10/790,669
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Filed: March 1, 2004
Inventor(s):
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Title: METHOD AND DEVICE
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Examiner: Unknown
Art Unit: 3731
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FEE AUTHORIZATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The Commissioner is hereby authorized to charge the following fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5838-01801/EBM

Basic filing fee	\$	385.00
12 additional claims	\$	108.00
3 additional independent claims.....	\$	129.00
Surcharge for late filing of declaration and fee.....	\$	65.00

Total Amount: \$ 687.00

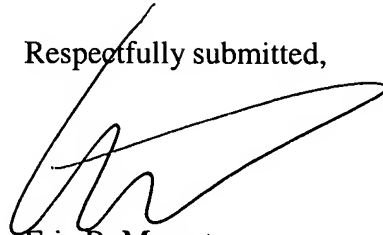
Total Amount: \$687.00

Attorney Docket No.: 5838-01801

Inventor: Suresh et al.
App. Ser. No.: 10/790,669
Atty. Dckt. No.: 5838-01801

The Commissioner is also authorized to charge any extension fee or other fees which may be necessary to the same account number.

Respectfully submitted,



Eric B. Meyertons
Reg. No. 34,876

Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.
P.O. BOX 398
AUSTIN, TX 78767-0398
(512) 853-8800 (voice)
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Date: 1/21/04